

MAY 13 2004

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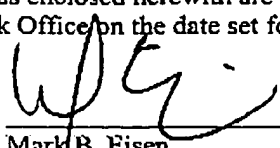
## CERTIFICATE OF FACSIMILE TRANSMISSION

OFFICE OF PETITIONS

OFFICIAL

I hereby certify that this document and the documents indicated as enclosed herewith are being sent by facsimile transmission to the United States Patent and Trademark Office on the date set forth below.

May 10, 2004  
Date

  
Mark B. Eisen  
Registration No. 33088

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Zaheer Kahlfan et al.		
Application No.:	09/708,038	Art Unit:	3653
Filed:	November 8, 2000	Examiner:	Tuan N. Nguyen
Title:	Optical Paper Sorting Method Device and Apparatus	Attorney's Ref.:	1084-7/MBE

SENT BY FACSIMILE (703) 308-6916

Attention: Office of Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
U.S.A.

Dear Sir:

PETITION UNDER 37 C.F.R. 1.181(a) REQUESTING  
WITHDRAWAL OF A HOLDING OF ABANDONMENT

1. Applicant hereby petitions to withdraw the holding of abandonment dated March 9, 2004, for applicant's alleged failure to file a proper reply to the Official Letter dated June 18, 2003. The ground for this Petition is that applicant did in fact file a proper reply to the Official Letter dated June 18, 2003.
2. An Official Letter was mailed June 18, 2003, requiring a response by September 18, 2003. Applicant filed the response attached hereto, with Certificate of Facsimile Transmission, by facsimile transmission on September 16, 2003. Also attached is a copy of the facsimile cover sheet accompanying applicant's response, and the facsimile confirmation sheet showing the successful transmission of applicant's response on that date.
3. Applicant accordingly submits that the holding of abandonment is in error.

Application No. 09/708,038

- 2 -

May 10, 2004

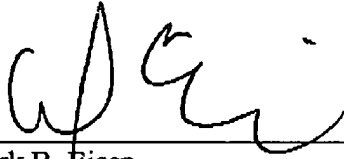
4. A Declaration of the undersigned attesting to the above facts accompanies this Petition.

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment in the enclosed fees to our Deposit Account No. 600000075. A duplicate copy of this Petition is enclosed if required for this purpose.

All of which is respectfully submitted.

Executed at Toronto, Ontario, Canada on May 10, 2004.

Date)

  
Mark B. Eisen  
Registration No. 33088

Telephone No. (416) 971-7202  
Facsimile No. (416) 971-6638

c/o Dimock Stratton LLP  
20 Queen Street West, Suite 3202, Box 102  
Toronto, Ontario  
Canada M5H 3R3

Enclosures: Declaration  
Applicant's Response filed by facsimile Sept. 16/03 with  
Facsimile Transmission Cover Sheet and Facsimile Confirmation Sheet

MBE:lf

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application Serial No. 09/708,038

Group Art Unit: 3653

Applicant: Zaheer Khalfan et al.

Examiner: Tuan N. Nguyen

Filing Date: November 8, 2000

Attorney's Ref.: 1084-7/MBE

Title: Optical Paper Sorting Method Device and Apparatus

To: Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
U.S.A.

Dear Sir:

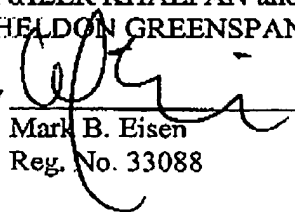
**DECLARATION ACCOMPANYING PETITION UNDER 37 C.F.R. 1.181(a)**

The undersigned, attorney of record in this application, being duly warned that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such wilful false statements may jeopardize the validity of the application or any patent resulting therefrom, DECLARES THAT:

1. An Official Letter was mailed June 18, 2003, requiring a response by September 18, 2003. In reply to this Official Letter applicant filed the response attached to the accompanying Petition, with Certificate of Facsimile Transmission, by facsimile transmission on September 16, 2003.
2. Also attached to the accompanying Petition is a copy of the facsimile cover sheet accompanying applicant's response, and the facsimile confirmation sheet showing the successful transmission of applicant's response on that date.
3. Applicant accordingly submits that the holding of abandonment is in error, and this Declaration is filed in support of the accompanying Petition under 37 C.F.R. 1.181(a).

Executed at Toronto, Ontario, Canada on May 10, 2004.

ZAHEER KHALFAN and  
SHELDON GREENSPAN

by   
Mark B. Eisen  
Reg. No. 33088

MBE:lf

## MESSAGE CONFIRMATION

SEP-16-2003 04:34 PM TUE

FAX NUMBER :  
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 RESULTS : [ O.K ]

ENTERED SEP 16 2003



**DIMOCK STRATTON CLARIZIO LLP**  
*Barristers and Solicitors • Patent and Trade-Mark Agents*

FAX

DATE: September 16, 2003

TO: NAME & FIRM	PHONE #	FAX #
Examiner Tuan N. Nguyen United States Patent and Trademark Office GROUP ART UNIT: 3653	1-703-308-3664	1-703-306-4195

FROM: Mark B. Eisen

OUR FILE: 1084-7/MBE

TOTAL PAGES SENT (including this page): 10

Confirmation of facsimile to follow: ☐ Yes ☒ No, unless requested

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 please call Liz Forster at (416) 971-7202.

## NOTES:

Re: U.S. Patent Application No. 09/708,038

*Documents Enclosed: Response to Office Action of  
 June 18, 2003.*

This fax may contain information which is confidential and privileged. If you are not  
 the intended recipient of this fax, you are not permitted to make use of this fax.

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